

IC 22-4-18.1

Chapter 18.1. State Human Resource Investment Council

IC 22-4-18.1-1

"Applicable federal program" defined

Sec. 1. As used in this chapter, "applicable federal program" refers to the federal human resource programs for which the council has authority to make recommendations as listed in section 4 of this chapter.

As added by P.L.38-1993, SEC.58.

IC 22-4-18.1-2

"Council" defined

Sec. 2. As used in this chapter, "council" refers to the state human resource investment council established by section 3 of this chapter.

As added by P.L.38-1993, SEC.58.

IC 22-4-18.1-3

Council; establishment; purpose and duties

Sec. 3. The state human resource investment council is established pursuant to 29 U.S.C. 1501 et seq. to do the following:

- (1) Review the services and use of funds and resources under applicable federal programs and advise the governor on methods of coordinating the services and use of funds and resources consistent with the laws and regulations governing the particular applicable federal programs.
- (2) Advise the governor on:
 - (A) the development and implementation of state and local standards and measures; and
 - (B) the coordination of the standards and measures; concerning the applicable federal programs.
- (3) Perform the duties as set forth in federal law of the particular advisory bodies for applicable federal programs described in section 4 of this chapter.
- (4) Identify the human investment needs in Indiana and recommend to the governor goals to meet the investment needs.
- (5) Recommend to the governor goals for the development and coordination of the human resource system in Indiana.
- (6) Prepare and recommend to the governor a strategic plan to accomplish the goals developed under subdivisions (4) and (5).
- (7) Monitor the implementation of and evaluate the effectiveness of the strategic plan described in subdivision (6).
- (8) Advise the governor on the coordination of federal, state, and local education and training programs and on the allocation of state and federal funds in Indiana to promote effective services, service delivery, and innovative programs.
- (9) Administer the minority training grant program established by section 11 of this chapter.
- (10) Administer the back home in Indiana program established by section 12 of this chapter.

(11) Any other function assigned to the council by the governor with regard to the study and evaluation of Indiana's human service delivery system.

As added by P.L.38-1993, SEC.58. Amended by P.L.96-2004, SEC.19.

IC 22-4-18.1-4

Council; designated as state advisory body under specified federal laws; administration of programs

Sec. 4. (a) The council shall serve as the state advisory body required under the following federal laws:

- (1) The Workforce Investment Act of 1998 under 29 U.S.C. 2801 et seq.
- (2) The Wagner-Peyser Act under 29 U.S.C. 49 et seq.
- (3) The Carl D. Perkins Vocational and Applied Technology Act under 20 U.S.C. 2301 et seq.
- (4) The Adult Education and Family Literacy Act under 20 U.S.C. 9201 et seq.

(b) In addition, the council may be designated to serve as the state advisory body required under any of the following federal laws upon approval of the particular state agency directed to administer the particular federal law:

- (1) The National and Community Service Act of 1990 under 42 U.S.C. 12501 et seq.
- (2) Part A of Title IV of the Social Security Act under 42 U.S.C. 601 et seq.
- (3) The employment and training program established under the Food Stamp Act of 1977 under 7 U.S.C. 2015.

(c) The council shall administer the minority training grant program established by section 11 of this chapter and the back home in Indiana program established by section 12 of this chapter.

As added by P.L.38-1993, SEC.58. Amended by P.L.96-2004, SEC.20.

IC 22-4-18.1-5

Council; membership; chairman; appointment

Sec. 5. (a) Not later than June 30, 2000, the membership of the state human resource investment council established under IC 22-4-18.1 must consist of the following:

- (1) The governor.
- (2) Two (2) members of the senate, appointed by the president pro tempore of the senate. The members appointed under this subdivision may not be members of the same political party.
- (3) Two (2) members of the house of representatives, appointed by the speaker of the house of representatives. The members appointed under this subdivision may not be members of the same political party.
- (4) The following members appointed by the governor:
 - (A) Representatives of business in Indiana who:
 - (i) are owners of businesses, chief executives, or operating

officers of businesses, and other business executives or employers with optimum policy making or hiring authority, including members of regional boards under IC 22-4.5-3-3(b)(1)(A) (as described in Section 117(b)(2)(A)(i) of the Workforce Investment Act of 1998); (ii) represent businesses with employment opportunities that reflect the employment opportunities of Indiana; and (iii) are appointed from among individuals nominated by state business organizations and business trade associations.

(B) Chief elected officials representing municipalities and counties.

(C) Representatives of labor organizations who have been nominated by the Indiana State AFL-CIO.

(D) Representatives of individuals and organizations that have experience with respect to youth activities.

(E) Representatives of individuals and organizations that have experience and expertise in the delivery of workforce investment activities, including chief executive officers of any community colleges established in Indiana and community-based organizations in Indiana.

(F) Lead state officials with responsibility for the programs, services, and activities described in Section 121(b) of the Workforce Investment Act of 1998 and carried out by one stop partners or, if there is no lead state official with responsibility for such a program, service, or activity, a person with expertise relating to the program, service, or activity.

(G) Other representatives and state officials designated by the governor.

(b) The governor shall appoint as chairman of the council a member described in subsection (a)(4)(A).

(c) A majority of the members of the council must be members described in subsection (a)(4)(A).

(d) At least fifteen percent (15%) of the members of the council must be representatives of labor.

(e) Members of the council that represent organizations, agencies, or other entities shall be individuals with optimum policy making authority within the organizations, agencies, or entities. The members of the council must represent diverse regions of Indiana, including urban, rural, and suburban areas.

As added by P.L.38-1993, SEC.58. Amended by P.L.179-1999, SEC.3.

IC 22-4-18.1-6

Council; members; term of office; vacancies

Sec. 6. Appointments to the council are for two (2) year terms. The governor shall promptly make an appointment to fill any vacancy but only for the duration of the unexpired term.

As added by P.L.38-1993, SEC.58.

IC 22-4-18.1-7

Employment of professional, technical, and clerical personnel; contracting for services; distribution of council funds

Sec. 7. (a) Except as provided in subsections (b) and (c) and subject to the approval of the commissioner of workforce development, the state personnel department, and the budget agency, the council may employ professional, technical, and clerical personnel necessary to carry out the duties imposed by this chapter from funds available under applicable federal and state programs, appropriations by the general assembly for this purpose, funds in the state technology advancement and retention account established by IC 4-12-12-1, and any other funds (other than federal funds) available to the council for this purpose.

(b) Subject to the approval of the commissioner of workforce development and the budget agency, the council may contract for services necessary to implement this chapter.

(c) The budget agency shall serve as the fiscal agent for the distribution of all funds of the council.

As added by P.L.38-1993, SEC.58. Amended by P.L.21-1995, SEC.96; P.L.96-2004, SEC.21.

IC 22-4-18.1-8

Council members; per diem and reimbursement of expenses

Sec. 8. (a) Any member of the council who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement for traveling expenses under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Any member of the council who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) Any member of the council who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

As added by P.L.38-1993, SEC.58.

IC 22-4-18.1-9

Bylaws and rules; advisory committees

Sec. 9. The council shall adopt bylaws and rules governing the council's organization and operation, including bylaws and rules governing the establishment of advisory committees considered necessary by the council, scheduling of council meetings, and other activities necessary to implement this chapter.

As added by P.L.38-1993, SEC.58.

IC 22-4-18.1-10

Certification to federal official of establishment and membership of council

Sec. 10. The state shall certify to:

- (1) the United States Secretary of Labor the establishment and membership of the council at least ninety (90) days before the beginning of each period of two (2) program years for which a job training plan is submitted under this chapter; and
- (2) any other appropriate United States Secretary charged with administering a particular applicable federal program the establishment and membership of the council.

As added by P.L.38-1993, SEC.58.

IC 22-4-18.1-11

Grants for minority training programs

Sec. 11. (a) For purposes of this section, "minority student" means a student who is a member of at least one (1) of the following groups:

- (1) Blacks.
- (2) American Indians.
- (3) Hispanics.
- (4) Asian Americans.
- (5) Other similar racial groups.

(b) The council shall develop a program to provide grants from the state technology advancement and retention account established by IC 4-12-12-1 for minority training programs for minority students. The grants must be used as follows:

- (1) Thirty-five percent (35%) for programs designed to enhance training in technology advancement for minority students.
- (2) Sixty-five percent (65%) for generalized training programs for minority students.

(c) The council shall adopt policies under which recipients may apply for and receive the grants.

(d) Grants issued under this section are subject to approval by the budget agency.

As added by P.L.96-2004, SEC.22.

IC 22-4-18.1-12

Back home in Indiana program; grants

Sec. 12. (a) The council shall develop a program to provide for grants from the state technology advancement and retention account established by IC 4-12-12-1 or contracts to develop a back home in Indiana program. The program must provide a system to track students who have graduated from private and public colleges and universities in Indiana. The program must include a means of periodically contacting these graduates to inform them of job opportunities in Indiana.

(b) The council shall work with the colleges and universities in Indiana to develop the tracking system.

(c) Grants issued under this section are subject to approval by the

budget agency.

As added by P.L.96-2004, SEC.23.